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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/197,441	11/23/1998	MICHAEL BEHAGEN	1521/1	1283

7590

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G.E. EHRLICH (1995) LTD.
c/o ANTHONY CASTORINA
2001 JEFFERSON DAVIS HIGHWAY
SUITE 207
ARLINGTON, VA 22202

EXAMINER

GRANT, CHRISTOPHER C

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/197,441

Applicant(s)
BEHAGEN et al.

Examiner
Christopher Grant

Art Unit
2611



– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/5/2001 and 4/23/2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-7 and 9-17 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The disclosure fails to support the “*remote display device for receiving direct, not via a network, compress display signals*” as recited in claim 1, lines 6, 9-10, 20, 22-23 and in claim 14, lines 13, 28 and 30.

The current invention discloses wireless communication between remote display (12) and main computer (14) via ISM band transmitters (48-main, 34-remote) and corresponding ISM band receivers (20-remote, 60-main). In short, the disclosure does not state that the ISM band communication is not a network.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 5, 9, 10-12 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yiu (6,008,777) and Phan (both of record).

Considering claim 1, Yiu discloses a remote display device for remote interaction by a user with a main computer (PC and PC interface unit 401), the device comprising:

(a) a remote display device (403, 409) for receiving signals directly from the PC; and
(b) a remote input platform (405 and associated components) for receiving input data from the user and for transmitting said input data directly to the local input port..., wherein the device lacks a CPU and such that only the main computer (PC and unit 401) has the CPU and wherein the main computer (PC), the remote display device (403, 409) and the remote input platform (405) form in combination a computer system.

However, Yiu fails to specifically disclose compressed signals and an expander (decompressor) as recited in the claim.

In a related art, Phan discloses a remote display device (16,18) in communication with a main computer (14). The remote display device (16,18) comprises a video decompressor (28) (expander) for converting compressed signals (transmitted from a main source) into

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decompressed signals for proper display. Note that the main computer (14) and the remote display device (16, 18) form in combination a computer system. Signals are compressed and decompressed for the advantage of providing greater transmission bandwidth (see col. 3, lines 49-57).

Therefore, it would have been obvious to one of ordinary skill in the art to modify Yiu's system to include compress signals, as taught by Phan, for the typical advantage of providing greater transmission bandwidth.

Claims 2 and 5 are met by the combined systems of Yiu and Phan, wherein Yiu discloses radio-wave receivers and transmitters.

Claim 9 is met by the combined systems of Yiu and Phan. Note CRT displays in both references.

Claim 10 is met by the combined systems of Yiu and Phan, wherein Yiu discloses a TV (409) comprising an audio amplifier and speaker.

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Claims 11-12 are met by the combined systems of Yiu and Phan, wherein Yiu discloses keyboard (423A), pointing device (423B) and joystick (423D) connected to ports on input device (405).

Claim 14 is met by the combined systems of Yiu and Phan. Yiu and Phan disclose a system for remote interaction with a user comprising a main computer (PC and PC interface 401-Yiu) and a remote display (403, 409-Yiu) as described above in claim 1. The main computer generates both television and computer video outputs (col 4, lines 37-45). Computers of this type contain plural video cards and an operating system to process and manipulate them.

Claim 15 is met by the combined systems of Yiu and Phan, wherein Yiu discloses a main computer (PC and PC interface) having local input device(s), local and remote input ports and switching means.

Claims 16-17 are met by the combined systems of Yiu and Phan, wherein Yiu discloses radio-wave receivers and transmitters.

5. Claims 3, 4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yiu and Phan and further in view of Yen (5,880,721) (of record).

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As to claims 3, 4, 6 and 7, the combined systems of Yiu and Phan fail to specify the frequency band the systems use.

In a strikingly similar system Yen teaches that remote computer displays should use a band around 2.4 GHz. In addition this band is considered to be an ISM band SP².

It would have been obvious to modify the combined systems Yiu and Phan, to include frequency band of 2.4GHz, as taught by Yen, for the typical advantage of conforming to known practices and FCC regulations.

6. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yiu and Phan and further in view of Hare et al. (6,084,638) (of record).

Considering claim 13, Yiu and Phan do not specify the use of a microphone with their systems.

In a strikingly similar system, Hare teaches the use of plural input devices (27a-d) including a microphone for the advantage of facilitating the user with various input devices to make selections (including voice commands). See the entire reference including but not limited to col. 6, line 64 - col. 7, line 20.

It would have been obvious to one of ordinary skill in the art to modify the combined systems of Yiu and Phan, as taught by Hare for the advantage of facilitating the user with a system that is responsive to voice commands.

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Response to Arguments

7. Applicant's arguments filed 2/5/2001 and 4/23/2002 have been fully considered but they are not persuasive.

Response to applicant's arguments

(a) Applicant argues that *"the communication between the main computer on one hand and the remote display device and the remote input device is direct, and not through a network"* as argued on page 11 (last paragraph) of the amendment.

In response, applicant should note that disclosure does not indicate that the wireless communication between main computer (14), charger base-(16) and the remote interaction device (12) is not a network as now claimed. In fact, the wireless communication between applicant's devices appears to be more like a network because a group (three in this case) of devices are involved in the communication.

(b) Applicant provided a definition of "Computer Network Also called a NETWORK" as an attachment to the amendment.

In response, the examiner contends that Yiu, Phan or the combination of Yiu and Phan does not result in a network as described in the definition provided by applicant. **Applicant's definition of a network is two or more computers that are connected with one another for the purpose of communicating data electronically.** The examiner contends that Yiu, Phan or

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the combination of Yiu and Phan **does not** include communication between two or more computers.

Moreover, the wireless communication between the main computer (PC) and the remote display device (405, 409) (Yiu) **is not a network** as much as applicant's communication between the remote display device (12) and main computer (14) via charger base (16) **is not a network**.

More importantly, the wireless communication between the main computer (PC) and the remote display device of Yiu, Phan or the combination of Yiu and Phan is not a network because only **one computer** is involved in the wireless communication and applicant's arguments are not persuasive.

(c) Applicant argues that "*In that, amended independent claim 1 and 14 are clearly distinct from Yiu that teaches networking two independent appliances-- a computer and a T.V.*" on page 12 (first paragraph) of the amendment.

In response, the examiner contends that the wireless communication of a computer and a T.V. is not a network as described by applicant's definition of network. See the examiner's response in paragraph b) above.

If applicant contends that the wireless communication between a computer and the a TV (a remote display device) is a network, then the wireless communication between a computer and a monitor (two independent appliances) is also a network. Applicant is reminded that a monitor and a TV are display appliances. Therefore, applicant's arguments are not persuasive.

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(d) Applicant argues that “*Therefore, the device of the present invention provides complete interactivity with a main computer and a remote location, without requiring a network card and without a physical wire or cable connection.*” on page 12 (third paragraph) of the amendment.

In response, applicant should note the specification recites “**without requiring a network card and without a physical wire or cable connection**” which is quite different from not requiring a network.

Furthermore, Yiu, Phan or the combination of Yiu and Phan provides interactivity without requiring a network card and without a physical wire or cable connection.

Since Yiu, Phan or the combination of Yiu and Phan does not require networking or a network card, then applicant’s arguments are not persuasive.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Singkornrat et al. disclose wireless communication between a computer and a remote display device.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry and for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Grant whose telephone number is (703) 305-4755. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306 0377.



Christopher Grant
Primary Examiner
April 30, 2002